

Memorandum of Agreement—Unsatisfactory Appeal Process—Teachers

This Memorandum of Agreement ("MOA") between the Board of Education of DuPage High School District No. 88, DuPage County ("Board"), and the DuPage District 88 Council, Local 571, American Federation of Teachers ("Union") is made and entered on November 10, 2020, and shall be subject to the terms and provision of the collective bargaining agreement between the parties ("CBA") regarding the Unsatisfactory Appeal Language beginning the 2021-2022 School Year.

In accordance with 105 ILCS 5/24A-5.5, an appeals process for Teachers deemed "unsatisfactory" shall be developed as follows:

- 1) Beginning with the 2021-2022 school year, an Evaluation Appeals Committee (EAC) shall be formed with equal representation of Union members appointed by the Union President and District Administrators appointed by the Superintendent. The appointees shall be determined no later than October 1 of each school year and shall serve on a school year basis. In the event of a vacancy during the school year, new appointments shall be made by the appropriate individual, the Union President, or Superintendent.
- 2) The EAC shall be responsible for reviewing a Teacher's submission for an appeal of an "unsatisfactory" summative evaluation.
- 3) The Teacher must submit the appeal to the Union President within fourteen (14) calendar days of receipt of the "unsatisfactory" summative evaluation rating. The Teacher shall provide any additional information, evidence or artifacts as part of the appeal request.
- 4) Upon receipt of the appeal, the Union President shall forward the appeal request to all members of the EAC. If any EAC appointee served as the evaluator who issued the "unsatisfactory" rating, the appointee must recuse him/herself and shall be replaced by an appointee selected by the appropriate individual, the Union President or Superintendent.
- 5) The EAC shall meet at a mutually agreeable time with each appointee having one (1) vote as to whether or not to uphold the Teacher's appeal. If the appeal is upheld, the Teacher's evaluation will be discarded, and a higher rating will be issued as determined by the EAC. If the appeal is denied, the original "unsatisfactory" rating shall stand. If there is a tie vote, the evaluation will be discarded, and the teacher will be re-evaluated in the immediately following school year.
- 6) The decision on the appeal will be reported by the District to the member filing the appeal, the original evaluator(s), the Superintendent, and the Union President. The EAC will also be copied on the decision. Record of the appeal will not become part of the Teacher's personnel file unless the Teacher chooses to add it as an addendum to the final signed evaluation report, if it is not discarded.

This MOA has been duly approved by each of the parties, and has been executed by authorized representatives of the Union and the Board.

DuPage District 88 Council, Local 571, American Federation of Teachers

By: 

Union President

Date: 12/3/2020

Board of Education of DuPage High School District No. 88, DuPage county

By: 

Board President

Date: 12/3/2020